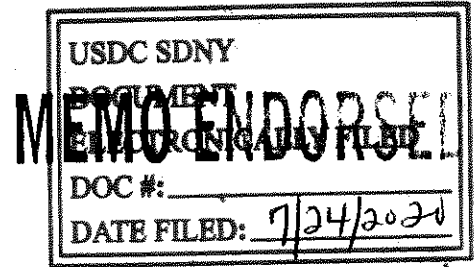


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
KATHRYN HYLAND, MELISSA GARCIA, :  
ELIZABETH TAYLOR, JESSICA SAINT-PAUL, :  
REBECCA SPITLER-LAWSON, MICHELLE :  
MEANS, ELIZABETH KAPLAN, JENNIFER :  
GUTH, and MEGAN NOCERINO, and ANTHONY :  
CHURCH individually and on behalf of :  
all others similarly situated, :  
:  
Plaintiffs, :  
-v- :  
NAVIENT CORPORATION and NAVIENT :  
SOLUTIONS, LLC, :  
:  
Defendants. :  
-----X

18cv9031 (DLC)

ORDER



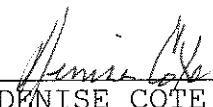
DENISE COTE, District Judge:

On June 19, 2020 the Court granted preliminary approval to a class settlement in this action. The class was conditionally certified under Rule 23(b)(2), Fed. R. Civ. P. On July 8, the Second Circuit held that a class of past purchasers may not properly be certified under Rule 23(b)(2). Berni v. Barilla S.p.A., No. 19-1921-CV, 2020 WL 3815523, at \*7 (2d Cir. July 8, 2020).

An Order of July 14 instructed the parties to submit letters addressing the impact of Berni on the proper class

definition in this case and on the Court's June 19 Preliminary Approval Order. Those letters were filed on July 20. Having reviewed the parties' submissions, the June 19 Order remains unaltered.

Dated: New York, New York  
July 24, 2020

  
\_\_\_\_\_  
DENISE COTE  
United States District Judge